

**MOORE COUNTY PLANNING BOARD  
THURSDAY, NOVEMBER 4, 2021 6:00 PM  
MOORE COUNTY HISTORIC COURTHOUSE – 2<sup>nd</sup> FLOOR**

**CALL TO ORDER – 6 PM**

**INVOCATION – (Member Volunteer)**

**PLEDGE OF ALLEGIANCE – (Member Volunteer)**

**MISSION STATEMENT – (Member Volunteer)**

**I. PUBLIC COMMENT PERIOD (*Procedures are attached*)**  
**Please sign up on the Public Comment Sign In sheet near the door**

**I. APPROVAL OF CONSENT AGENDA**  
All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except by a member of the Planning Board:

- A. Approval of Meeting Agenda
- B. Approval of Minutes of March 4, 2021
- C. Consideration of Abstentions

**II. ELECTION OF VICE-CHAIR**

**III. PUBLIC HEARINGS**

1. **Unified Development Ordinance Text Amendments – Quarterly Update – Betty Lynd**
2. **Unified Development Ordinance Text Amendment – Highway Corridor Overlay District (Urban Transition Land Use) – Betty Lynd**

**IV. PLANNING DEPARTMENT REPORTS - Debra Ensminger**

**V. BOARD COMMENT PERIOD - Chairman**

**VI. UPCOMING EVENTS**

- Tuesday, November 16, 2021, 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage
- **Thursday, December 2, 2021, 6:00 PM Planning Board Meeting to be held at the Historic Courthouse in Carthage**
- Tuesday, December 6, 2021, 10:30 AM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage

**VII. ADJOURNMENT**

*Special accommodations for individuals with disabilities or impairments will be made upon request to the extent that reasonable notice is **given** to the County.*

*Please see attached procedures for the Public Comment Period and public comment during Public Hearing*

**PUBLIC COMMENT PROCEDURES  
MOORE COUNTY PLANNING BOARD**

*The Moore County Planning Board is committed to allowing members of the public an opportunity to offer comments and suggestions for the efficient and effective administration of government. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Board during the Public Comment Period shall be subject to the following procedures:*

- 1. The Public Comment period will be held at the beginning of the Board meeting. The comment period will be limited to a maximum of thirty minutes*
- 2. Persons who wish to address the Board during the Public Comment Period will register on a sign-up sheet available on the table outside the entrance door to the Meeting Room indicating contact information and topic. Sign-up sheets will be available beginning 30 minutes before the start of the meeting. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 3. Each person signed up to speak will have three (3) minutes to make his/her remarks. Each person signed up to speak will only be entitled to the time allotted to each speaker and one additional time period which may be yielded to him/her by another individual who has also signed up to speak on a particular topic.*
- 4. Speakers will be acknowledged by the Board Chairperson in the order in which their names appear on the sign-up sheet. Speakers will address the Board from the lectern at the front of the room and begin their remarks by stating their name and address.*
- 5. Public comment is not intended to require the Board to answer any impromptu questions. Speakers will address all comments to the Board as a whole and not one individual member. Discussions between speakers and members of the audience will not be allowed.*
- 6. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of Moore County shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.*
- 7. Only one speaker will be acknowledged at a time. If the time period runs out before all persons who have signed up get to speak, those names will be carried over to the next Public Comment Period.*
- 8. Any applause will be held until the end of the Public Comment Period.*
- 9. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Chairperson.*
- 10. Information sheets outlining the process for the public's participation in Board meetings will also be available in the rear of the Meeting Room.*
- 11. Action on items brought up during the Public Comment Period will be at the discretion of the Board.*

*Adopted on the 4<sup>th</sup> day of February, 2010 by a 8 to 1 vote of the Moore County Planning Board.*

## **MOORE COUNTY PLANNING BOARD PUBLIC HEARINGS PROCEDURES**

*The Moore County Planning Board serves the public as well as the Board of Commissioners. During each public hearing a special time has been set aside for the purpose of receiving comments and suggestions. To insure that comments and suggestions are productive and not unnecessarily long, procedural rules for conducting public hearings are necessary. The following procedural rules will be utilized during public hearings of the Moore County Planning Board:*

- 1. Anyone who would like to address the Board during a public hearing should register on the appropriate sign-up sheet indicating their name and address. Sign-up sheets will be available on the table outside the entrance door to the Meeting Room 30 minutes before the start of the meeting. Information sheets outlining the process for the public's participation in Board meetings and public hearings will also be available. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each speaker will be called by the Chairman to the lectern, will state their name and address clearly into the record before providing their comments.*
- 3. Speakers will address all comments to the Board as a whole and not to any one individual member. Speakers will be respectful, courteous, refrain from personal attacks and the use of profanity.*
- 4. Any applause will be held until the end of the public hearing.*
- 5. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Secretary.*
- 6. Action on items brought up during the public hearing will be at the discretion of the Board.*

*Adopted on the 5<sup>th</sup> day of May, 2011 by a 9 to 0 vote of the Moore County Planning Board*

**MINUTES  
MOORE COUNTY PLANNING BOARD  
THURSDAY, MARCH 4, 2021 6:00 PM  
MOORE COUNTY HISTORIC COURTHOUSE – 2<sup>nd</sup> FLOOR**

**Board Members Present:**

Joe Garrison (Chairman), Harry Huberth (Vice Chairman), Bobby Hyman, Amy Lynn, Jeffrey Gilbert

**Board Members Absent:** John Cook, John Matthews

**Staff Present:**

Debra Ensminger, Planning Director; Stephanie Cormack, Admin Officer; Betty Lynd, Senior Planner; Joel Strickland, Assistant Planning Director; Tron Ross, Associate County Attorney

**CALL TO ORDER**

Chairman Joe Garrison called the meeting to order at 6:00 pm.

**INVOCATION**

Chairman Joe Garrison offered the invocation.

**PLEDGE OF ALLEGIANCE**

Chairman Joe Garrison led in citing of the Pledge of Allegiance.

**MISSION STATEMENT**

Vice Chair Harry Huberth read the Moore County Mission Statement.

**PUBLIC COMMENT PERIOD**

There was no public comment.

**APPROVAL OF THE CONSENT AGENDA**

- A. Approval of Meeting Agenda
- B. Approval of Minutes of January 7, 2021
- C. Consideration of Abstentions

Vice Chair Huberth made a motion for approval of the consent agenda and approval of the minutes of January 7, 2021 meeting. Board Member Bobby Hyman seconded the motion and the motion passed unanimously 5-0.

## **PUBLIC HEARING**

**Public Hearing #1** – General Use Rezoning Request: Rural Agricultural (RA) to Residential and Agricultural 40 (RA-40)-Union Church Rd. and Ring Rd. – Debra Ensminger

Planning Director Debra Ensminger presented a request by Pete Mace requesting a General Use Rezoning from Rural Agricultural (RA) to Residential and Agricultural-40 (RA-40) of five parcels of approximately 238.32 acres located on Union Church Rd. and Ring Rd., owned by Forest Haven, LLC, per Deed Book 2793 Page 373, Deed book 2793 Page 385, and Deed Bood 2923 Page 148 and further described as ParID's 00039566, 00036964, 00037335, 00031370, and 00039567 in the Moore County Tax Records.

Ms. Ensminger went over the items within the packet regarding the request.

Vice Chair Huberth asked staff to pull up a map identifying the Voluntary Ag District (VAD) areas.

Ms. Ensminger informed the board during the development phase any property within the VAD is placed on notice of possible agricultural uses in the surrounding area. Ms. Ensminger provided a map for view to the board and audience showing areas within the VAD and the rezoning request is located within one-half (½) mile of a VAD.

Chairman Garrison requested staff to pull up the Table of Uses identifying what uses are allowed pertaining to this request for view.

Ms. Ensminger provided a copy of the current Table of Uses for view.

Chairman Garrison requested clarification if the board was able to ask the applicant about their intended use.

Ms. Ensminger explained the board could ask however the board could not base a decision on the applicant's use.

With no further questions from the board, Chairman Garrison opened the Public Hearing.

The following signed up to speak during the Public Hearing in opposition:

- Nicholas LaSala Jr.; 975 Cranes Creek Rd. Cameron
- Matthew Parker; 272 Ring Rd. Carthage
- Hannah Bullen; 541 Ring Rd. Carthage spoke on behalf of Carol Parker
- Robin Lea; 4517 Union Church Rd. Carthage representing on behalf of her father James Ring
- Michael Parker; 272 Ring Rd. Carthage
- Terry Bryant; 111 Bryant Rd. Carthage
- David Johnson; 533 Ring Rd. Carthage
- Jason Veit; 113 Ring Rd. Carthage

The following signed up to speak during the Public Hearing in favor of:

- Graham Settle; Manager of the Deed of Trustees; 106 Atwater Ct. West End

With no further discussion or public comment Chairman Garrison closed the Public Hearing.

Vice Chair Huberth asked staff to explain how this is an infill development.

Ms. Ensminger explained the county would look at an infill development by determining if it had existing water.

Vice Chair Huberth expressed based on public comment during the hearing infrastructure is not present.

Ms. Ensminger explained the county is neither for or against the request and it comes down to property rights and the number one goal of the Land Use Plan is to preserve and protect the ambiance of the county. Ms. Ensminger explained to the board the request is close to the Town of Vass, close to infrastructure, surrounded by farms, and it is ultimately up to the board to make the decision for the General Use Rezoning request. Ms. Ensminger reminded the board of the processes that if approved/denied at the Planning Board level, the Board of County Commissioners will hear the item to make a final decision. It was mentioned to the board the applicant has shared the intent is to create a Major Subdivision which would require a Conditional Use Permit process if the General Use rezoning were approved by the Board of Commissioners.

Chairman Garrison asked if the item would need to go before the Subdivision Review Board.

Ms. Ensminger explained a Conditional Use Permit for a Major Subdivision would go before the Subdivision Review Board which is an advisory board prior to being heard by the Board of Commissioners for a Quasi-Judicial Hearing for final determination.

Chairman Garrison asked Ms. Ensminger if anyone from the County Planning Department reached out to Mr. Settle asking him to rezoning the property in any way?

Ms. Ensminger replied no, the county does not operate that way.

Chairman Garrison asked Ms. Ensminger if staff have heard from the Town of Vass or if they have said anything?

Ms. Ensminger replied no.

Board Member Gilbert commented about the possibility if approved, the long term protentional of resident complaints of farming activity and inquired how that would be handled.

Ms. Ensminger explained those items would be considered during the Conditional Use Permit Quasi-Judicial hearing process. If approved during that process, there would be conditions in place associated to the project.

Chairman Garrison asked if the Planning Board decision was a legislative decision?

Ms. Ensminger replied yes and reminded the Board the draft 2020 Land Use Plan cannot be considered when making their decision as it has not been adopted, the 2013 Land Use Plan is the most recent Plan.

Board Member Lynn inquired if there were any hydro studies in the works.

Ms. Ensminger explained if approved and the applicant moves forward with the subdivision process this would be something to be considered during that process.

With no further comments Vice Chair Harry Huberth made a motion to deny the attached Moore County Planning Board Land Use Plan Consistency Statement and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341. As specified in the Land Use Plan Consistency Statement, a declaration of approval is also deemed an amendment to the Land Use Plan. The motion was seconded by Board Member Amy Lynn; the motion passed unanimously 0-5 (denied).

Vice Chair Harry Huberth made a motion to recommend denial to the Moore County Board of Commissioners General Use Rezoning from Rural Agricultural (RA) to Residential and Agricultural-40 (RA-40) of five parcels of approximately 238.32 acres located on Union Church Rd. and Ring Rd., owned by Forest Haven, LLC, per Deed Book 2793 Page 373, Deed book 2793 Page 385, and Deed Bood 2923 Page 148 and further described as ParID's 00039566, 00036964, 00037335, 00031370, and 00039567 in the Moore County Tax Records.; The motion was seconded by Board Member Bobby Hyman; the motion passed unanimously 0-5 (denied).

## **PLANNING DEPARTMENT REPORTS**

Ms. Ensminger informed the applicant the item will be forwarded to the Board of County Commissioners as a recommendation for denial during the second meeting in April for them to hear the item presented.

Ms. Ensminger introduced new staff, Joel Strickland, and Betty Lynd. Also, informed the board of the upcoming Board of County Commissioners work session to discuss the Highway Corridor Overlay District items that was previously brought before the Planning Board.

## **BOARD COMMENT PERIOD**

Chairman Garrison thanked Moore County staff for all their hard work while working for the county.

## **ADJOURNMENT**

With no further comments Board Member Bobby Hyman made a motion to adjourn the March 4, 2021 regular meeting. The motion was seconded by Board Member Jeffrey Gilbert; meeting adjourned at 7:20 p.m., the motion passed unanimously 5-0.

Respectfully submitted by,

Stephanie Cormack



## MEMORANDUM TO THE PLANNING BOARD

**FROM:** Debra Enslinger  
Planning and Inspections Director

**DATE:** September 15, 2021

**SUBJECT:** Unified Development Ordinance Text Amendments –  
Quarterly Update

**PRESENTER:** Betty Lynd

### REQUEST

Moore County Planning Staff is requesting the below text amendments to the Moore County Unified Development Ordinance:

**Bold Text** – additions to the ordinance  
~~Strikethrough Text~~ - deletions from the ordinance

1. AMEND Chapter 6 (Table of Uses), Section 6.1 (Use Table), as follows:

COMMERCIAL USES (CONTINUED)	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
VEHICLE SERVICES																
Boat & RV Storage					P						<del>P</del> Z		Z		8.45	S-1
INDUSTRIAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
WAREHOUSING																
Mini-Warehouse (Self-Service)						P					Z	Z	<del>P</del> Z	<del>P</del> Z	8.103	S
COMMERCIAL USES (CONTINUED)	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group

ADULT USES													
Massage & Bodywork Therapy Practice, <del>Unlicensed</del>												P P P P	8.58 B

**REASON.** Allows Planning Staff, Planning Board, and the Board of Commissioners to give the Boat & RV Storage and Mini-Warehouse uses a more thorough review for their consistency with the surrounding area. Makes the Massage & Bodywork Therapy Practice use in the table consistent with the requested amendment to the Specific Use Standards below.

2. AMEND Chapter 8 (Specific Use Standards), Section 8.11 (Home Occupation, Level 1), as follows:

#### 8.11. Home Occupation, Level 1

- A. Standards. 1 home occupation shall be permitted per lot. Level 1 Home Occupations shall be limited to a maximum of 25% of 1 floor of the principal building, the entirety of an accessory building, or a combination thereof. The accessory building shall be less than or equal to the square footage of the principal building and shall be located in the rear yard. The operator of the home occupation must reside on the same lot. Only 1 person not a resident of the dwelling may be employed. Home occupations involving instruction, teaching, or training shall be limited to 5 students or participants at one time. Signage shall be limited to 1 sign of 4 square feet in area. 1 parking space per home occupation in addition to residence requirements. Any use that exceeds 1 or more of the specific standards is automatically a Level 2 Home Occupation. The following uses are those that have been determined to be suitable as a Level 1 Home Occupation:

1. Beauty / Barber Shop / Nail Salon
2. Office (**no licensed medical offices**)
3. Produce Stand
4. Small Appliance Repair Shop (no outdoor storage)
5. Trade Contractor Office and Workshop (no outdoor storage)

**REASON.** Prohibit licensed medical offices as described in the UDO from being developed in residential homes and established neighborhoods. This use's procedures, traffic generation and building code requirements are not conducive to a residential environment.

3. AMEND Chapter 8 (Specific Use Standards), Section 8.31 (Office), as follows:

#### 8.31. Office

- A. Definition. An establishment providing direct services to consumers, conducted during normal business hours, in a fully-enclosed building, including financial offices (banks,

brokers, insurance agents, accountants, appraisers), general business offices (adoption agency, catering, cell phone store, cleaning service office, fortune tellers), instructional services (music, art and craft classes, and tutoring), licensed medical offices (dentists, doctors, counselors, chiropractor, hospice and palliative care facility, ~~massage therapist~~, psychiatrists, laboratories, blood banks), professional offices – office use only (architects, cartographers, engineers, lawyers, real estate agents, editors, publishers, journalists, graphic design, construction contractors, landscape design, surveyors, salespersons, travel agents), professional studios (artists, authors, sculptors, musicians, photographers, radio and television studios), and similar office uses. This use does not include manufacturing, repair, or storage of materials or products.

~~B. Standards. Massage therapists shall meet the requirements per the Moore County Code of Ordinance Section 9-46.~~

⊖ B. Financial Offices – 1 space for each 200 square feet of gross floor space, plus 1 space for each 2 employees. Medical Offices – 5 spaces for each doctor plus 1 space for each employee. Other types of offices – 1 space for each 300 square feet of gross floor area, minus storage areas.

**REASON.** Clarify the ordinance to move the massage therapy use under one section (Section 8.58) in the UDO.

4. AMEND Chapter 8 (Specific Use Standards), Section 8.58 (Massage & Bodywork Therapy Practice, Unlicensed), as follows:

8.58. Massage & Bodywork Therapy Practice, ~~Unlicensed~~

A. Definition. Any business wherein massage is practiced, including establishments commonly known as health clubs, physical culture studios, massage studios, or massage parlors. ~~A business licensed through the Board of Massage & Bodywork Therapy is a separate definition.~~

B. Standards. ~~Refer to Section 8.53 (B) with the exception of~~ **Massage therapists shall meet the requirements per the Moore County Code of Ordinance Section 9-46.** 1 parking space per 150 square feet minus storage area.

**REASON.** Clarify the ordinance to move the massage therapy use under one section in the UDO and require that all be licensed as required in the Moore County Code.

5. AMEND Chapter 15 (Watershed Overlay Districts), as follows:

#### **15.9 Allocation Transfer Between Jurisdictions**

**Moore County, having jurisdiction within a designated water supply watershed may transfer, in whole or in part, its right to the 5/70 land area to one of the other local government jurisdictions located within Moore County within the same water supply**

*UDO Quarterly Text Amendments – Staff Report*

watershed upon submittal of an approved joint resolution between the Moore County Board of Commissioners and the governing body of the municipality and approval by the NC Department of Environmental Quality.

**REASON.** Create an ordinance citation for the transfer of watershed allocation as required by NCDEQ for their approval of these transfers.

6. AMEND Chapter 17 (Enforcement & Penalties), Section 17.2 (Enforcement Procedures), Subsection A (Investigation), as follows:

Investigation. Upon receipt of a written or verbal complaint, the Administrator must investigate the complaint and determine whether a violation exists within ~~40~~ 45 days. The Administrator shall proactively enforce any violation existing after a permit approved by a Board has been revoked.

**REASON.** Allows review times to be consistent (45 days) across all review processes.

7. AMEND Chapter 18 (Subdivisions), Section 18.7 (Major Subdivisions – Minimum Design Standards as Shown on Preliminary Plat), Subsection T (Cluster Mailboxes), as follows:

T. Cluster Mailboxes. Appropriate mail receptacles must be provided for the receipt of mail as approved by the Postal Service and other applicable departments. Cluster mailboxes shall be located outside of the right-of-way and in a HOA maintained area. Approval of installation by the USPS and Building Inspector is required prior to final plat approval.

**1. Major subdivisions that choose to construct a private mail house structure or building instead of cluster mailboxes for their residents may do so upon the approval of a commercial building permit. Private mail houses shall be located outside of the right-of-way and in a HOA maintained area. Parking shall be provided at the rate of 1 space per employee in addition to 1 space per every 20 mailboxes.**

**REASON.** Creates standards for future major subdivisions to provide adequate parking and an additional method to deliver postal services to a planned community.

8. AMEND Chapter 18 (Subdivisions), Section 18.16 (Subdivision Plat Requirements), as follows:

18.16 Subdivision Plat Requirements

Type of Certificate or Statement	Exempt Plat	Family Plat	Minor Plat	Major Prelim. Plat	Major Final Plat
<del>Certificate of Soil Suitability</del> <b>Licensed Soil Scientist Certificate</b>					<b>x</b>

**REASON.** Provides clarification by matching title of certificate to the example certificate language provided further in the section.

**CONSISTENCY WITH THE ADOPTED 2013 LAND USE PLAN**

The Planning Board Consistency Statement which speaks to Land Use Plan goals is included for the Board's review and consideration.

**RECOMMENDATION**

Staff recommends the Moore County Planning Board make two separate motions:

**Motion #1:** Make a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement (Approval) and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-604.

**Motion #2:** Make a motion to recommend approval to the Moore County Board of Commissioners of the proposed text amendment to the Moore County Unified Development Ordinance.

**ATTACHMENTS**

- Planning Board Consistency Statement – Approval
- Planning Board Consistency Statement – Denial

**Moore County Planning Board**  
**Land Use Plan Consistency Statement**  
**Text Amendment - Unified Development Ordinance**

The Moore County Planning Board finds that:

1. The text amendment request is consistent with the following goals in the 2013 Moore County Land Use Plan:

GOAL 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around municipalities).

- Recommendation 1.5: Encourage and support development and land use principles by ensuring Moore County's cultural, economic, and natural resources are considered appropriately.

GOAL 4: Provide Information and Seek Citizen Participation:

- Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.

2. The text amendment is consistent with the Goals listed above due to providing the public with a transparent and thorough permitting process.

3. The text amendment is reasonable and in the public interest because the ordinance has been updated to meet current statutory requirements and be more user-friendly for use by the general public and development community.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the text amendments to the Unified Development Ordinance, as proposed.

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Joe Garrison, Chair  
Moore County Planning Board

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Date

**Moore County Planning Board**  
**Land Use Plan Consistency Statement**  
**Text Amendment - Unified Development Ordinance**

The Moore County Planning Board finds that:

1. The text amendment request is not consistent with the 2013 Moore County Land Use Plan.
2. The proposed text amendment is not reasonable and not in the public interest because the proposed amendment will have an unreasonable impact on the surrounding community.

Therefore, the Moore County Planning Board recommends **DENIAL** of the text amendments to the Unified Development Ordinance, as proposed.

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Joe Garrison, Chair  
Moore County Planning Board

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Date

**MEMORANDUM TO THE PLANNING BOARD**

**FROM:** Debra Ensminger  
Planning and Inspections Director

**DATE:** September 21, 2021

**SUBJECT:** Unified Development Ordinance Text Amendment – Highway  
Corridor Overlay District (Urban Transition Land Uses)

**PRESENTER:** Betty Lynd

**REQUEST**

Pete Mace of TIJJS, LLC is requesting the below text amendments to the Moore County Unified Development Ordinance:

**Bold Text** – additions to the ordinance

~~Strikethrough Text~~ - deletions from the ordinance

1. AMEND Chapter 7 (General Development Standards), Section 7.8 (Highway Corridor Overlay District), as follows:

F. Prohibited Uses.

1. Urban Transition. Accessory Manufactured Home, Manufactured Home, Personal Workshop/Storage Building, Manufactured or Modular Home, Storage Building Sales, all uses listed under “Adult Uses” including Adult Gaming Establishments, Bars/Tavern, Brewery/Winery, Dance Club, Night Club, Billiard, Distillery, Massage & Bodywork Therapy Practice (Unlicensed), Pawn Shop, Sexually Oriented Business, Tattoo Parlor and Body Piercing, and “Waste Related Services” including Debris Management Facility, Hazardous Waste/Toxic Chemicals Disposal or Processing, Landfill, Mining/Quarry Operation, Salvage Yard, Cemetery or Mausoleum/Commercial, Family Cemetery, ~~High Impact Outdoor Recreation~~, Indoor Shooting Range, Outdoor Shooting Range, Zoo/Petting Zoo, Wireless Communication Facility, Mini-Warehouse (Self-Service), Warehousing and/or Distribution Center, and Debris Management Facility.

G. Conditional Zoning Uses.

1. Urban Transition. Group Care Facility, all uses listed under “Vehicle Services” including Boat & RV Storage, Car Wash or Auto Detailing, Commercial Truck Wash, Parking Lot as Principal Use of Lot, Contractors Storage Yard and Office, Taxi

*UDO Text Amendments – Urban Transition HCOD Land Uses - Staff Report*



Service, Vehicle, Auto Parts, Tires, Farm Equipment, Boat, RV- Sales Rental or Service, Vehicle Service Station (Gas Station), and Vehicle Wrecker Service, **High Impact Outdoor Recreation** and Commercial buildings in excess of 10,000 square feet.

**REASON.** This is a citizen-initiated text amendment to amend the allowed uses in the Urban Transition Highway Corridor Overlay District.

#### **CONSISTENCY WITH THE ADOPTED 2013 LAND USE PLAN**

The Planning Board Consistency Statement which speaks to Land Use Plan goals is included for the Board's review and consideration.

#### **RECOMMENDATION**

Staff recommends the Moore County Planning Board make two separate motions:

**Motion #1:** Make a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement (Denial) and authorize the Chairman to execute the document as required by North Carolina General Statute 160D-604.

**Motion #2:** Make a motion to recommend denial to the Moore County Board of Commissioners of the proposed text amendment to the Moore County Unified Development Ordinance.

#### **ATTACHMENTS**

- Text Amendment Application
- Planning Board Consistency Statement – Approval
- Planning Board Consistency Statement - Denial



## County of Moore Planning and Inspections

Inspections/Permitting: (910) 947-2221  
Planning: (910) 947-5010  
Fax: (910) 947-1303

### TEXT AMENDMENT APPLICATION

Application Date: 9/7/2021			
Applicant: TIJS, LLC		Phone: (910) 639-2882	
Applicant Address: PO Box 2605	City: Southern Pines	St: NC	Zip: 28388
Please describe the proposed changes below (attached additional sheets if needed): <u>Removing High Impact Outdoor Recreation</u> <u>As A Prohibited Use in the Urban Transition</u> <u>HCOB As Shown in Section 7.8 (F) and instead</u> <u>require conditional rezoning in the Urban Transition</u> <u>HCOB.</u>			
I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.			
Applicant/Owner Signature: <u>Rita Maci</u>		Date: 9/7/2021	
Applicant/Owner Signature		Date	
Office Use Only:			
PAR ID: <u>n/a</u>			
Received By: <u>Betty Lynd Betty Lynd</u>		App# 36830	
		Date: 9/20/2021	

**Moore County Planning Board**  
**Land Use Plan Consistency Statement**  
**Text Amendment - Unified Development Ordinance**

The Moore County Planning Board finds that:

1. The text amendment request is consistent with the following goals in the 2013 Moore County Land Use Plan:

GOAL 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around municipalities).

- Recommendation 1.5: Encourage and support development and land use principles by ensuring Moore County's cultural, economic, and natural resources are considered appropriately.
- Recommendation 1.7: Support and promote local businesses.

GOAL 4: Provide Information and Seek Citizen Participation:

- Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.

2. The text amendment is consistent with the Goals listed above due to allowing a specific land use through a thorough review process that will assess its consistency with the surrounding area and providing the public with a transparent and thorough permitting process.

3. The text amendment is reasonable and in the public interest because it will allow an additional land use in a commercially viable area while allowing the community the opportunity to express their views on individual proposals during the conditional rezoning process.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the text amendments to the Unified Development Ordinance, as proposed.

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Joe Garrison, Chair  
Moore County Planning Board

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Date

**Moore County Planning Board**  
**Land Use Plan Consistency Statement**  
**Text Amendment - Unified Development Ordinance**

The Moore County Planning Board finds that:

1. The text amendment request is not consistent with the following goal in the 2013 Moore County Land Use Plan:

GOAL 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around municipalities).

- Recommendation 1.8: Discourage undesirable or unattractive land uses, especially within high visibility areas.

2. The proposed text amendment is not reasonable and not in the public interest because the proposed amendment will have an unreasonable impact on the surrounding community.

Therefore, the Moore County Planning Board recommends **DENIAL** of the text amendments to the Unified Development Ordinance, as proposed.

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Joe Garrison, Chair  
Moore County Planning Board

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Date